

**35 U.S.C. §103 Rejection,*****Nelson in view of Reichmeyer***

The Examiner has rejected claims 1-4, 6-8, 10-12, 14-18 and 21-22 under 35 U.S.C. § 103(a) as being unpatentable over Nelson, U.S. Patent No. 5,835,720 ("Nelson") in view of Reichmeyer et al., U.S. Patent No. 6,286,038 ("Reichmeyer"). The Examiner writes that Reichmeyer shows "a policy server in communication with first and second network devices." The reference shows instead a configuration server in communication with first and second network devices (routers). The Examiner further writes that "identities are established by collecting information on the network devices." At Column 8, lines 22-42, a list of information that may be sent by a network device to the configuration server is provided. This includes various identification information.

The Examiner next writes that "in accordance to this protocol, the prior art method gathers information and determines the topology of the network." While the configuration server gathers information, there is no suggestion in the reference that the configuration server determines the network topology. Furthermore, the Examiner identifies the relevant part of Claim 1, to be "registering a first network device and a second network device to a policy server," and "receiving network discovery policies from the policy server at the first and second network devices." Applicants are unable to find any suggestion in the reference of the second element.

Accordingly, absent this teaching in the reference. The claims are believed to be allowable. The Examiner would seem to interpret Nelson as if it has the two network devices of Claim 1 and then ignore lack of a server in Nelson. The Examiner would then seem to supply a server from Reichmeyer, but this server does not do any of what the server of Claim 1 does. The fundamental operation as defined in the claims is ignored and accordingly the rejection is respectfully traversed.

The operation of Reichmeyer, is presented pretty clearly in Figure 3 on the face of the patent. The subdomain routers send neighbor info and pre-config. info to the central configuration server and the central configuration server sends the config. info which it has stored in a file. The many pages of the reference are directed to the details of how this is done. In all of this description, there are no policies sent which would allow for the element of "sending a message from the first network device to the second network device, the message establishing the identity of any network device between the first network device and the second network device in accordance with the received policies" as recited in Claim 1. See, for example, Column 3, lines 47-52, discussing the transfer of the configuration information. See Column 4, lines 54-58, regarding the contents of the configuration info file.

Reichmeyer is not directed to automatically discovering the configuration of a network or "compiling the established identities to determine the topology of the network." Instead, Reichmeyer admits of the difficulties in doing so and allows the system administrator to create topology and set pre-configuration files manually. See Column 3, lines 20-29, Column 5, lines 8-10, Column 10, lines 35-43. In short, Reichmeyer has a network with a manually predetermined topology. When a subdomain router is added, it either has a pre-configuration file saying where it fits into the network or it uses neighbor discovery to allow the configuration server to figure out where it fits into the network. The network topology is not discovered automatically and it would not be obvious to combine the two references to create a system that automatically discovers the network.

The remaining rejections all depend upon this combination of Nelson and Reichmeyer and are accordingly traversed.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

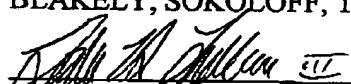
**Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 4/11/05

  
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